

ORDINANCE NO. 921217 SL

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 16.976 ACRE TRACT OF LAND OUT OF THE ROBERT FOSTER SURVEY NO. 43 AND THE M. D. WILLIAMS SURVEY NO. 49, FROM "DR" DEVELOPMENT RESERVE DISTRICT, "LO" LIMITED OFFICE DISTRICT AND "LR" NEIGHBORHOOD COMMERCIAL OFFICE DISTRICT TO "MF-1-CO" MULTIFAMILY RESIDENCE (LIMITED DENSITY) DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 6800 NORTH CAPITAL OF TEXAS HIGHWAY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5 AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "DR" Development Reserve district, "LO" Limited Office district and "LR" Neighborhood Commercial district to "MF-1-CO" Multifamily Residence (Limited Density) district-Conditional Overlay combining district on the property described in File C14-92-0119, as follows:

16.976 acre tract of land out of the Robert Foster Survey No. 43 and the M. D. Williams Survey No. 49, said 16.976 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes,

locally known as 6800 North Capital of Texas Highway, in the City of Austin, Travis County, Texas.

PART 2. That the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

1. Multifamily development on the Property shall not exceed 96 units.
2. There will be no vehicular access from the Property to Wallace Drive. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
3. 150 feet of right-of-way from the existing center line of North Capital of Texas Highway (Loop 360) is hereby reserved for future right-of-way, pursuant to Section 13-5-8 of the Austin City Code. No structure shall be erected nor shall improvements be made within the reserved right-of-way as determined by the Public Works and Transportation Department, except as otherwise authorized by the City of Austin.

Except as specifically restricted pursuant to this ordinance, the property may be developed and used in accordance with the regulations established for the "MF-1" Multifamily Residence (Limited Density) base district and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5 and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five (5) members of the City Council.

PART 5. That this ordinance shall become effective upon the expiration of ten (10) days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

December 17, 1992

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Bruce Todd
Mayor

APPROVED:



Diana L. Granger
City Attorney

ATTEST:



James E. Aldridge
City Clerk

FIELD NOTES
FOR
DICK MATZ

16.976 ACPE TRACT

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND, OUT OF THE ROBERT FOSTER SURVEY NO. 43 AND THE M. D. WILLIAMS SURVEY NO. 49 IN TRAVIS COUNTY, TEXAS, BEING THAT SAME 17.02 ACRE TRACT OF LAND AS CONVEYED TO RICHARD L. MATZ, TRUSTEE BY DEED RECORDED IN VOLUME 3656, PAGE 1539 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pipe found at the Northwest corner of the said 17.02 acre tract of land, being in the West line of the said M. D. Williams Survey No. 49, being the East line of the A. E. Patton Survey No. 541, said pipe being being the Southwest corner of that certain tract of land as conveyed to First Service Corporation by Deed recorded in Volume 4373, Page 386 of the Deed Records of Travis County, Texas for the Northwest corner hereof;

THENCE with the North line of the said 17.02 acre tract, being the South line of the said First Service Corporation tract, S 60° 11' E for a distance of 667.95 feet pass a nail found and continue on for a total distance of 993.79 feet to a nail found for an angle point hereof;

THENCE continuing with the North line of the said 17.02 acre tract, and the South line of the First Service Corporation tract, S 60° 09' E for a distance of 216.27 feet to an iron stake found at the Southwest corner of Lakewood Section One, a subdivision in the City of Austin, as recorded in Plat Book 75, Page 115 of the Plat Records of Travis County, Texas;

THENCE continuing with the North line of the said 17.02 acre tract of land, being the South line of Lakewood Section One, S 60° 11' E for a distance of 938.28 feet to an iron stake set at the Northeast corner of the said 17.02 acre tract of land, being the Southeast corner of the said Lakewood Section One, being in the West r.o.w. line of Loop 360 for the Northeast corner hereof, and from which iron stake a concrete monument found in the West r.o.w. line of Loop 360 bears N 37° 42' E for a distance of 26.25 feet;

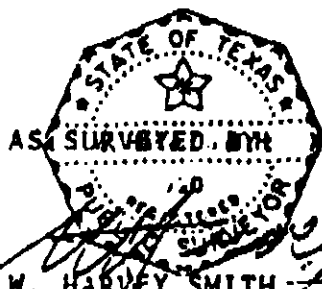
THENCE with the East line of the said 17.02 acre tract of land, being the West line of Loop 360, S 37° 48' W for a distance of 351.76 feet to an iron stake found at the Southeast corner of the said 17.02 acre tract of land, for the Southeast corner hereof;

THENCE with the South line of the said 17.02 acre tract of land, N 60° 10' W at a distance of 1073.97 feet pass a nail set, continue on at a distance of 1407.10 feet pass a nail set, continue on at a distance of 1669.92 feet pass a nail set, continue on for a total distance of 2100.26 feet to an iron pipe found at the Southwest corner of the said 17.02 acre tract of land for the Southwest corner hereof;

FIELD NOTES
FOR
DICK MATZ

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THENCE with the West line of the said 17.02 acre tract of land,
N 30° 01' E for a distance of 347.84 feet to the PLACE OF BEGINNING
and containing 16.976 acres of land, more or less.



W. HARVEY SMITH
REGISTERED PUBLIC SURVEYOR NO. 720
June 21, 1978
September 25, 1981
October 14, 1981
May 6, 1983

Survey Updated: May 6, 1983

AS SURVEYED BY:

W. HARVEY SMITH SURVEYOR, INC.

HAPPY E. TURNER
REGISTERED PUBLIC SURVEYOR NO. 3908

Survey updated: April 9, 1984